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C O N F I D E N T I A L SECTION 01 OF 02 TAIPEI 001328

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E.O. 12958: DECL: 04/14/2016

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SUBJECT: KMT CAUCUS EMBARRASSES CHAIRMAN MA . . . AGAIN

Classified By: Deputy Director David J. Keegan. Reason(s): 1.4 (B/D).

¶1. (C) Summary: KMT Chairman Ma Ying-jeou professed "surprise" at the KMT caucus decision April 11 to reject Hsieh Wen-ding, President Chen's nominee for Prosecutor-General. Ma has been publicly promising a more rational, responsible KMT legislative voting bloc to get beyond years of legislative gridlock, and he had publicly urged KMT legislators to vote "openly and responsibly" on the Hsieh nomination. Without informing Chairman Ma, however, the KMT caucus scuttled the Hsieh nomination in a secret ballot. A chastened Ma stated that he "respected" the caucus's decision but that he hoped KMT legislators in the future would vote "rationally and responsibly." This is the second time in as many months that the KMT caucus has directly crossed Ma without repercussions -- last month KMT legislators refused to approve Ma's proposal for an alternative defense budget. KMT insiders are beginning to question whether Ma can lead the party if he can't control the caucus. End Summary.

¶2. (C) On April 11, President Chen's nominee for State Prosecutor-General, Hsieh Wen-ding, was rejected by the Legislative Yuan (LY). Hsieh had been widely seen as the best qualified candidate for the post, and was expected to win the requisite simple LY majority (105 of the 208 legislators present). Instead, in a strictly party-line vote, Hsieh was rejected by a vote of 101 in favor, 19 against, and 88 invalid votes. The invalid votes were blank ballots cast by members of the Pan-Blue alliance, the Kuomintang Party (KMT) and the People First Party (PFP).

¶3. (C) KMT Chairman Ma Ying-jeou told the press that Hsieh's defeat came as a "surprise" to him. Two days before the vote, Ma said, he had met with Executive Policy Director Tseng Yung-chuan to discuss the party's stance on Hsieh's

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nomination, and to request the caucus to hold an open vote to expedite a final decision. Ma claimed publicly that the KMT Policy Department had pledged that the party's legislative caucus would hold an open vote on the nomination. The caucus, however, later opposed Hsieh's nomination, without even informing Chairman Ma. Ma stated that he believes LY approval of a presidential nominee should focus on a review of the nominee's qualifications, not political affiliation. Ma said he respected the LY decision as the will of the

majority of legislators, but urged his own KMT caucus to take a "rational and responsible attitude" during the decision-making process in the future, taking into account public opinion.

¶4. (C) Ma's failure to rein in the KMT caucus provoked Taiwan media and DPP critics to sharply question his leadership ability. Ma himself dismissed these criticisms, explaining that he did not intend to control the caucus like a dictator. Some KMT legislators told the press that the caucus had been hijacked by former-PFP "hardliners," while others said Chairman Ma and party leaders had not made their position sufficiently clear to the caucus before the vote.

¶5. (C) KMT legislator and Ma defense advisor Su Chi defended the caucus's action to AIT, saying that the KMT caucus had ample reason to reject Hsieh because he had failed to give a firm commitment to vigorously investigate corruption at its highest (read Presidential Office) levels. He surmised that KMT Policy Director Tseng may have fallen down in keeping the KMT caucus fully informed of Ma's position on the nomination, noting that Tseng is close to LY President Wang Jin-pyng and may have been advancing Wang's agenda by keeping quiet. Su also speculated that Ma himself was distracted by and busy with Taipei City Council affairs the day of caucus deliberations, and LY leadership may have been unable to reach him for input.

¶6. (C) Comment: This is the second time in as many months that KMT legislators have embarrassed their Chairman and probable 2008 presidential nominee, after their mid-March failure to support Ma's promised alternative arms procurement proposal. To his credit, Ma wants to instill democracy in his party apparatus and resists trying to dictate how KMT legislators vote. Unfortunately, however, this has created the impression that Ma has failed to establish himself

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solidly as KMT leader, a serious image problem in the run up to the 2008 presidential election. While Ma has made a number of missteps since the beginning of the year and has experienced several leadership setbacks in recent weeks, the situation may not be as dire as the media intimates. For years, Ma kept his distance from party machinery to avoid getting dirty. Therefore, he doesn't fully know how it works or how to use it to his advantage. Ma's natural tendency is to use a "soft-touch" approach, trusting others to follow his example without resorting to coercion. That approach, however, may not work with the KMT's rambunctious and proud legislators, which may force Chairman Ma to decide whether he must, or can, crack the whip. End Comment.
YOUNG